

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1946 - SB 2655**

February 14, 2018

**SUMMARY OF BILL:** Authorizes the Speaker of the House of Representatives and the Speaker of the Senate jointly, or by a majority of the members of both houses of the General Assembly, to intervene in any proceeding to defend the constitutionality of a challenged statute or to assert the General Assembly's authority under Article II, § 3 of the Constitution of Tennessee.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – To the extent the General Assembly decides to intervene in a proceeding, the retention of private counsel would increase state expenditures by an amount estimated to exceed \$10,000 per instance.**

Assumptions:

- The Speaker of the House of Representatives and the Speaker of the Senate are authorized to employ legal counsel to intervene in any proceeding to defend the constitutionality of a challenged statute or to assert the General Assembly's authority under Article II, § 3 of the Constitution of Tennessee. The General Assembly would hire outside counsel to represent the state or the General Assembly.
- Fiscal Review Committee staff cannot reasonably determine the number of lawsuits in which the General Assembly would decide to intervene.
- The cost of defending such a lawsuit cannot be reasonably determined due to multiple, unknown factors. However, it is reasonable to assume that any lawsuit would increase state expenditures by at least \$10,000 for legal fees and expenses.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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